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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,467	01/23/2004	Makiko Mori	02910.000113	5471

5514 7590 12/17/2007  
FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER
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SITTA, GRANT

ART UNIT	PAPER NUMBER
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2629

MAIL DATE	DELIVERY MODE
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12/17/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/762,467

Applicant(s)

MORI, MAKIKO

Examiner

Grant D. Sitta

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 September 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date See Continuation Sheet.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :12/19/2006, 11/17/2006,1/13/2006,8/9/2005,3/11/2004.

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fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Grant D. Sitta

December 11, 2007

  
AMARE MENGISTU  
SUPERVISORY PATENT EXAMINER

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of species "D" in the reply filed on August 16, 2007 is acknowledged.

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The synthesis circuit was not described in the specification.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by

Ide et al (2002/0175908) hereinafter, Ide.

3. A video display apparatus comprising: a converting circuit (fig. 3 (312)) for executing nonlinear conversion for an input signal (fig. 5 Nonlinear [0094-0096]); a display brightness featured value detecting circuit for detecting a display brightness (fig. 3 (311)) featured value indicating a brightness of a display screen from the input signal ([0042-0044]); and an adjustment circuit (fig. 4 (310)) receiving an output of said converting circuit (fig. 3 (312)) for adjusting the received signal on the basis of said display brightness featured value ([0042-0044]); and a synthesis circuit (fig. 1 (6)) for synthesizing the input signal and a signal for displaying textual information to be superimposed or a signal for displaying an icon to be superimposed ([0028-0038]), wherein said synthesis circuit is placed on a stage after said adjustment circuit (fig. 1 within 30 to 6), and wherein said display brightness featured (fig. 4 (311)) value detecting circuit is placed on a stage after said converting circuit (fig. 4 (312)) and after said synthesis circuit (fig. 1 (6)), and wherein said display brightness featured value (fig. 4 (311)) detecting circuit detects display brightness featured value indicating brightness of the display screen in a state that the textual information or the icon is superimposed (fig. 4 (311) M and N), and wherein an image is displayed on

the basis of an output of said synthesis circuit ([0033]).

4. In regards to claim 2, Ide teaches an adjustment circuit is an adjustment circuit for adjusting [0042] the received signal on the basis of a plurality of display brightness [0043] featured values which are sequentially detected.

5. In regards to claim 3, Ide teaches a video display apparatus as defined in claim 1 or 2, wherein said adjustment circuit is also an adjustment circuit for adjusting a received signal on the basis of a brightness control value relating to an adjustment of image quality (fig. 4 (310) [0042-0043]).

6. In regards to claim 4, Ide teaches video display apparatus as defined in any one of claims 1 to 3, wherein said display brightness featured value is a sum or average value of display signals for a predetermined period [0042-0043 "mean luminance"].

7. In regards to claim 5, Ide teaches a video display apparatus as defined in any one of claims 1 to 3, wherein said display brightness featured value is the number of signals of the display signals for a predetermined period which have a greater value than a predetermined value.([0039] "The ABL controller 31 adjusts the luminance level of each pixel data D sequentially supplied from the analog-to-digital converter 1 such that the mean luminance level of an image displayed on

the screen of the PDP 10 exists within a **predetermined range.**")

8. In regards to claim 6, Ide teaches a video display apparatus as defined in any one of claims 1 to 3, wherein said display brightness featured value is a sum or average value of display signals for each color for a predetermined period.

([0039] "The ABL controller 31 adjusts the luminance level of each pixel data D sequentially supplied from the analog-to-digital converter 1 such that the **mean** luminance level of an image displayed on the screen of the PDP 10 exists within a predetermined range.")

9. In regards to claim 7, Ide teaches a video display apparatus as defined in any one of claims 1 to 3, wherein said display brightness featured value is a sum or average value of brightness components of display signals for a predetermined period. ([0039] "The ABL controller 31 adjusts the luminance level of each pixel data D sequentially supplied from the analog-to-digital converter 1 such that the **mean luminance** level of an image displayed on the screen of the PDP 10 exists within a predetermined range.")

10. In regards to claim 8, Ide teaches a video display apparatus as defined in any one of claims 1 to 3, wherein said display brightness featured value is a statistical value of display signals in a specific area of one display screen.



11. In regards to claim 9, Ide teaches a video display apparatus as defined in any one of claims 1 to 3, wherein pixels of said video display apparatus are constructed of display elements arranged in matrix. ([0002] "present invention relates to a display device including a display panel such as a matrix-type plasma display panel (hereinafter referred to as a PDP")

12. In regards to claim 10, Ide teaches a video display apparatus as defined in claim 9, wherein said display elements are electro-emission elements, and said display brightness featured value detecting circuit generates said display brightness featured value on the basis of a value of emission current emitted from said electro-emission element. ([0004-0005 "A PDP includes a plurality of column electrodes (address electrodes) and a plurality of pairs of row electrodes extending in such a manner as to cross the column electrodes. The row and column electrodes are covered with a dielectric layer such that the surfaces thereof are not directly exposed in a discharge space. ")

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Grant D. Sitta whose telephone number is 571-270-1542. The examiner can normally be reached on M-F 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amare Mengistu can be reached on 571-272-7674. The